

MEMORANDUM

TO: Applicants for Site Plan Review

FROM: Kennebunkport Planning Board

RE: Final Plan for Subdivision

To assist you in completing your Final Plan application for a Subdivision, attached are copies of Articles 8.1 Procedure, 8.2 Submissions and 8.3 Final Approval and Filing from the Kennebunkport Subdivision Regulations. Please use this “checklist” to ensure that you have submitted all of the required information with your application. **Please note that your application package, and any and all additional submissions, must be filed at least 30 business days before the next regularly scheduled meeting in order to make that agenda (see attached Submittal Schedule).**

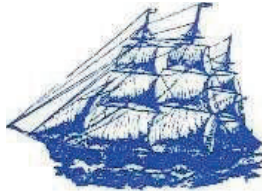
You must submit all of the information required or if you believe that some of the required information is not necessary or appropriate to your application, you must request waivers. Waiver requests must be in writing and must indicate those submissions for which you are requesting waivers and the reason for the request.

Any required permits from local, State or Federal agencies must be submitted to the Town. No Public Hearing will be scheduled until the application is deemed complete by the Planning Board. Under no circumstances shall an applicant or an applicant’s representative contact any member of the Planning Board regarding Planning Board personnel or pending or active applications. All emails, US mail, phone calls and any other correspondence concerning Planning Board issues must be directed to the Planning and Code Enforcement Office **only** (afortier@kennebunkportme.gov).

Please note: The Planning Board Administrative Assistant will handle any and all mailings to abutters, and the newspaper posting of Legal Notices of Public Hearings. **Checks must be made out to the Town of Kennebunkport.**

Attachments:

- Filing Requirements and Checklist
- Application Form
- Planning Board Contact List
- Submittal Schedule
- Fee Schedule
- Articles 8.1 Procedure, 8.2 Submissions and 8.3 Final Approval and Filing



FILING REQUIREMENTS AND CHECKLIST

Please initial or mark N/A to indicate you have completed the following requirements.

Application Package Checklist:

- ☐ Cover letter describing proposed project.
- ☐ One copy of full sized (to scale) and one copy of reduced site plans.
 - ☐ Site plans contain all the data required under Chapter 415-8.2 of the Code of the Town of Kennebunkport. If portions of 8.2 are not applicable, please submit in writing as to why. See Article 8.2 attached.
- ☐ Copy of the deed(s)/agreement(s).
- ☐ Certificate of Good Standings, if corporation.
- ☐ Letter of authority, if using agent.
- ☐ List full names and current mailing addresses of owners of properties within 200' of the subject property. See FAQ for step by step. FAQ is available on the Town website or printed at the Codes and Planning Office.
- ☐ Copy of the tax map, highlighting your property. See FAQ for step-by-step.
- ☐ Copy of official decisions (or note pending applications) of other Federal, State, or local agencies regarding the use of this property (Army Corps., D.E.P., etc.)

Filing Requirements:

- ☐ Two paper copies of the application package to the Administrative Assistant.
- ☐ Email electronic version of application package to: afortier@kennebunkportme.gov.
- ☐ Mail one paper copy of the application package to each Planning Board Member (address as provided in application materials).
- ☐ Pay all fees associated.

Please see attached Town of Kennebunkport's Subdivision regulations § 415-8.2 "Submissions" for an exhaustive list and description of application requirements.

**APPLICATION FOR SUBDIVISION
KENNEBUNKPORT PLANNING BOARD**

Preliminary Plan Application ☐

Final Plan Application ☐

PROPOSED SUBDIVISION NAME: _____

APPLICANT INFORMATION

Property Owner: _____

Address: _____

Phone: _____ Email: _____

Applicant/
Authorized Agent

Name: _____

Address: _____

Phone: _____ Email: _____

**** Please be sure to include a Letter of Authority if you are the Agent****

If applicant is a corporation, check if licensed in Maine: Yes ☐ No ☐ and attach a copy of State's "Certificate of Good Standing".

Land surveyor, engineer, architect or others preparing plan: _____

Address: _____

Phone: _____ Email: _____

Please provide proof of the applicant(s) legal interest in the property to be developed? Please provide one of the following:

- A copy of the recorded Deed.
- Executed Purchase and Sales Agreement.

LAND INFORMATION

Location of Property: _____
street address

Assessor's Tax Maps: Map: _____ Block: _____ Lot(s) _____
Registry of Deeds: Book: _____ Page: _____

Zoning District? _____

Resource Protection ☐ Shoreland Zone ☐

Is any portion of the property withing two hundred fifty (250) feet of the high water mark of a pond, river or saltwater body? Yes ☐ No ☐

Total acreage of parcel: _____
Acreage to be developed: _____

Has this land been part of a prior approved subdivision? Yes ☐ No ☐
Or part of other divisions within the past 5 years? Yes ☐ No ☐

Identify existing uses of land (farmland, woodlot, etc.): _____

Does the parcel include any water bodies? Yes ☐ No ☐

Is any portion of the property within a special flood hazard area as identified by the Federal Emergency Management Agency (FEMA)? Yes ☐ No ☐

List the names and addresses of abutting property owners within 200' on a separate sheet and attach to this application.

GENERAL INFORMATION

Proposed name of development: _____

Number of lots or units: _____

Anticipated date for construction: _____

Anticipated date of completion: _____

Does this development require extension of public infrastructure: Yes ☐ No ☐

If yes, what?

- | | | |
|--------------------------------------|---|--------------------------------------|
| <input type="checkbox"/> Roads | <input type="checkbox"/> Fire Protect | <input type="checkbox"/> Sewer Lines |
| <input type="checkbox"/> Water Lines | <input type="checkbox"/> Storm Drainage | <input type="checkbox"/> Sidewalks |
| <input type="checkbox"/> Other | | |

Estimated cost for infrastructure improvements: \$_____

Identify method for water supply to the proposed development:

- | | |
|--|---|
| <input type="checkbox"/> Individual Wells | <input type="checkbox"/> Central Well w/Distribution |
| <input type="checkbox"/> Public Water Supply | <input type="checkbox"/> Other (please state alternative) |

Identify method of sewage disposal to the proposed development:

- | | |
|---|--|
| <input type="checkbox"/> Individual Septic Tanks | <input type="checkbox"/> Central On-site Disposal w/Distribution Lines |
| <input type="checkbox"/> Connection to Public Sewer | <input type="checkbox"/> Other (please state alternative) |

Identify method of fire protection for the proposed development:

- ☐ Hydrants connected to the public water system
- ☐ Dry hydrants located on existing pond or water body
- ☐ Existing fire pond
- ☐ Individual Fire Suppression System
- ☐ Other (please state alternative)

Does the applicant propose to dedicate to the public any streets, recreation or common lands?

If any:

Streets	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Estimated Length _____
Recreation Area	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Estimated Acreage _____
Common Land(s)	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Estimated Acreage _____

Does the applicant intend to request waivers of any of the subdivision submission requirements? If yes, list them and state reasons for the request:

To the best of my knowledge, all the above stated information submitted in this application is true and correct.

Signature _____ Date _____

Printed name _____

For Office Use Only

Date Received:	_____	Application Fee:	_____
		Lot/Dwelling Fee:	_____
		Legal Notice Posting Fee:	_____
		Postage Fee:	_____
		Paid by (payment type/name):	_____
		Escrow Funds (Prelim Only):	_____
		Escrow Funds Lot/Dwelling (Prelim Only):	_____
		Total:	_____

Planning Board Contact Information

One copy of all applications must be mailed to the following:

Name		Mailing Address
Chair	Thomas Boak	26 Fox Run Kennebunkport, ME 04046
Vice Chair	Nina Pearlmutter	P.O. Box 2686 Kennebunkport, ME 04046
	Edward Francis	P.O. Box 2632 Kennebunkport, ME 04046
	Scott Mahoney	P.O. Box 465 Kennebunkport, ME 04046
	Charles Simmons	4 Scamman Street Suite 19-322 Saco, ME 04072
	George Lichte	40 S. Maine Street Kennebunkport, ME 04046
	Michael West	33 Log Cabin Road Kennebunkport, ME 04046

Planning Board Subdivision Plan Submittal Schedule

Submittal Must be 30 Days Prior to Meeting Date

<i>Submission Deadline</i>	<i>Planning Board Meeting Date</i>
10/2/2023	11/1/2023
10/16/2023	11/15/2023
11/6/2023	12/6/2023
11/20/2023	12/20/2023
12/4/2023	1/3/2024
12/18/2023	1/17/2024
1/8/2024	2/7/2024
1/22/2024	2/21/2024
2/5/2024	3/6/2024
2/19/2024	3/20/2024
3/4/2024	4/3/2024
3/18/2024	4/17/2024
4/1/2024	5/1/2024
4/15/2024	5/15/2024
5/6/2024	6/5/2024
5/20/2024	6/19/2024
6/3/2024	7/3/2024
6/17/2024	7/17/2024
7/8/2024	8/7/2024
7/22/2024	8/21/2024
8/5/2024	9/4/2024
8/19/2024	9/18/2024
9/2/2024	10/2/2024
9/16/2024	10/16/2024
10/7/2024	11/6/2024
10/21/2024	11/20/2024
11/4/2024	12/4/2024
11/18/2024	12/18/2024

Planning Board Fee Schedule

SITE PLAN REVIEW	
<i>Application Fee</i>	\$250
<i>Legal Notice</i>	\$150
<i>Postage</i>	\$8.10 (Domestic)
	\$8.95 (International)

SKETCH PLAN REVIEW (SUBDIVISIONS)	
<i>Application Fee</i>	\$250

MINOR/MAJOR SUBDIVISION REVISIONS	
<i>Application Fee</i>	\$250
<i>Legal Notice</i>	\$300 (\$150 x 2 public hearings)
<i>Postage</i>	\$8.10 (Domestic)
	\$8.95 (International)

PRELIMINARY SUBDIVISION*		
<i>Application Fee</i>		\$1,000
<i>Lot/Dwelling Fee</i>		\$250 per lot/dwelling
<i>Legal Notice</i>		\$300 (\$150 x 2 public hearings)
<i>Postage</i>		\$8.10 (Domestic)
		\$8.95 (International)
Separate Check	<i>Escrow Funds</i>	\$2,000
	<i>Escrow Funds Lot/Dwelling</i>	\$250 per lot/dwelling
*Additional fees may be requested if peer review is needed		

FINAL SUBDIVISION	
<i>Application Fee</i>	\$1,000
<i>Lot/Dwelling Fee</i>	\$250 per lot/dwelling
<i>Legal Notice</i>	\$300 (\$150 x 2 public hearings)
<i>Postage</i>	\$8.10 (Domestic)
	\$8.95 (International)

ARTICLE 7
Preliminary Plan for Subdivision

§ 415-7.1. Procedure.

- A. Within six months after the Board's on-site inspection held as a result of the sketch plan meeting, the applicant shall submit 16 copies of the application for approval of a preliminary plan at least 30 days prior to a scheduled meeting of the Board. Applications shall be submitted by mail or delivered to the Code Enforcement Office. Failure to submit the application within six months shall require resubmission of the sketch plan to the Board. The preliminary plan shall approximate the layout shown on the sketch plan, plus any recommendations made by the Board.
- B. All applications for preliminary plan approval for a subdivision shall be accompanied by a nonrefundable application fee as set by the Board of Selectmen, payable by check to the Town of Kennebunkport, Maine, and stating the specific purpose of the fee on the application. A dated receipt will be issued by the Town. In addition, the applicant shall pay a fee of \$2,000 plus \$250 per lot (or a higher amount if deemed necessary by the Board or the Code Enforcement Officer) to be deposited in a special account designated for that subdivision application and to be used by the Board for hiring independent consulting services to review the application, if necessary. If the balance of this special account is drawn down by 75%, the Board or its designee shall notify the applicant and require that an additional amount per lot or dwelling unit be deposited by the applicant. The Board or its designee shall continue to notify the applicant and require an additional amount per lot or dwelling unit be deposited whenever the balance of the account is drawn down by 75% of the original deposit. Any balance remaining after a decision on the final plan application by the Board shall be returned to the applicant. If a public hearing is deemed necessary by the Board, an additional fee shall be required to cover the costs of advertising.
- C. The applicant or his duly authorized representative shall attend the meeting of the Board to present the preliminary plan. Failure to attend the meeting to present the preliminary plan shall result in a delay of the Board's receipt of the plan until the next meeting that the applicant attends.
- D. At the meeting at which an application for preliminary plan approval of a subdivision is initially presented, the Board shall:
 - (1) Verify that the applicant has a dated receipt of the submission and that the appropriate fees have been paid.
 - (2) Verify that all owners within 200 feet of the property have been notified that an application for subdivision approval has been submitted, specifying the location of the proposed subdivision and including a general description of the project.
 - (3) Verify that the review authorities of neighboring municipalities have been

notified if any portion of the subdivision abuts or crosses the municipal boundary.

- E. Within 30 days of the receipt of the preliminary plan application, the Board shall determine whether the application is complete and notify the applicant in writing of its determination. If the application is not complete, the Board shall notify the applicant of the specific additional material needed to complete the application.
- F. Upon a determination that a complete application has been submitted for review, the Board shall notify the applicant in writing of that determination. The Board shall determine whether to hold a public hearing on the preliminary plan application.
- G. Assuming that the Board decides to hold a public hearing, it shall hold the hearing within 30 days of determining that it has received a complete application, and shall publish a notice of the date, time and place of the hearing in a newspaper of general circulation in the Town of Kennebunkport at least two times, the date of the first publication to be at least seven days prior to the hearing. A copy of the notice shall be mailed to the applicant and abutters.
- H. Within 30 days from the public hearing or within 60 days of determining a complete application has been received, if no hearing is held, or within another time limit as may be otherwise mutually agreed to by the Board and the applicant, the Board shall specify in writing its findings of fact on the application, and approve, approve with conditions, or deny the preliminary plan application.
- I. When granting approval to a preliminary plan, the Board shall state the conditions of such approval, if any, with respect to:
 - (1) The specific changes that it will require in the final plan;
 - (2) The character and the extent of the required improvements for which waivers may have been requested and that the Board finds may be waived without jeopardy to the public health, safety, and general welfare; and
 - (3) The construction items for which cost estimates and performance guarantees will be required as prerequisite to the approval of the final plan.
- J. Approval of a preliminary plan shall not constitute approval of the final plan or intent to approve the final plan, but rather shall be deemed an expression of approval of the design of the preliminary plan as a guide to the preparation of the final plan. The final plan shall be submitted for approval by the Board upon fulfillment of the requirements of these regulations and the conditions of preliminary approval, if any. Prior to the approval of the final plan, the Board may require that additional information be submitted and changes in the plan be made as a result of further study of the proposed subdivision or as a result of new information received. The Board may, of course, deny any application at the preliminary plan stage.

§ 415-7.2. Submissions.

The preliminary plan application shall consist of the following items:

- A. An application form that can be obtained from the Kennebunkport Municipal Office of the Code Enforcement Officer.
- B. Location map. The location map shall be drawn at a scale not over 400 feet to the inch to show the relation of the proposed subdivision to the adjacent properties and to the general surrounding area and to allow the Board to locate the subdivision within Kennebunkport and to allow the Board to determine if any portion of the proposed subdivision lies within another municipality. In addition to hard copies of the map, the applicant will submit a CD in CAD file DWG format. The location map will show:
 - (1) All of the area within 2,000 feet of any property line of the proposed subdivision, or any smaller area between the tract and all surrounding existing streets, provided any part of such a street used as part of the perimeter for the location map is at least 500 feet from any boundary of the proposed subdivision.
 - (2) Existing subdivisions in the proximity of the proposed subdivision and approximate tract lines of acreage parcels together with the names of the record owners of all adjacent parcels of land, namely, those directly abutting or directly across any street adjoining the proposed subdivision.
 - (3) Locations and names of existing and proposed streets, easements, building lines and alleys pertaining to the proposed subdivision and to the adjacent properties as designated in Subsection B(2) above.
 - (4) Boundaries and designations of zoning districts, school districts and parks or other public places.
 - (5) An outline of the proposed subdivision and any remaining portion of the owner's property if the final plan submitted covers only a portion of the owner's entire contiguous holding.
- C. Preliminary plan. The preliminary plan shall be submitted at least 30 days in advance of the Board meeting with all dimensions shown in feet or decimals of a foot. The preliminary plan shall be drawn to a scale of not more than 100 feet to the inch. Plans for subdivisions containing more than 100 acres may be drawn at a scale of not more than 200 feet to the inch, provided all necessary detail could easily be read. In addition, one copy of the plan(s) reduced to a size of 8 1/2 by 11 inches or 11 by 17 inches, and all accompanying information shall be submitted to the Code Enforcement Office no less than 30 days prior to the meeting.
- D. Application requirements. The application for approval of a preliminary plan shall include the following information. The Board may require additional information to be submitted if it finds it necessary in order to determine whether the criteria of 30-A M.R.S.A. § 4404 are met.

- (1) Proposed name of the subdivision, or identifying title, and the name of the municipality in which it is located, plus the Assessor's map, block, and lot numbers.
- (2) Verification of right, title, or interest in the property.
- (3) A standard boundary survey of the parcel, giving complete descriptive data by bearings and distances, made and certified by a professional land surveyor. The corners of the parcel shall be located on the ground and marked by monuments. The plan shall indicate the type of monument set or found at each lot corner.
- (4) A copy of the most recently recorded deed for the parcel. A copy of all restrictions, easements, rights-of-way, or other encumbrances currently affecting the property.
- (5) A list of any proposed deed restrictions intended to cover all or part of the lots or dwellings in the subdivision.
- (6) A list of proposed restrictions or covenants that will apply to the eventual declaration of condominium and/or the homeowners' association agreement, if applicable.
- (7) Indication of the type of sewage disposal to be used in the subdivision.
 - (a) When sewage disposal is to be accomplished by connection to the public sewer, a written statement from the Kennebunkport Wastewater Department stating there is adequate capacity to collect and treat the wastewater shall be provided by the applicant.
 - (b) When sewage disposal is to be accomplished by subsurface wastewater disposal systems, test pit analyses prepared by a licensed site evaluator shall be provided. A map showing the location of all test pits dug on the site shall be submitted.
- (8) An indication of the type of water supply system(s) to be used in the subdivision.
 - (a) When water is to be supplied by public water supply, a written statement from the servicing water district shall be submitted indicating there is adequate supply and pressure for the subdivision and the district approves the plans for the extensions where necessary. Where the district's supply line is to be extended, a written statement from the Fire Chief, stating approval of the location of fire hydrants, if any, and a written statement from the district approving the design of the extension, shall be submitted.
 - (b) When water is to be supplied by private wells, neither the Planning Board nor the Town of Kennebunkport guarantees the purchaser of property within the subdivision that there is adequate water.

- (9) The date the plan was prepared, North point, graphic map scale, names and addresses of the record owner, applicant, and individual or company who prepared the plan, and the names of adjoining property owners (abutters).
- (10) A high-intensity soil survey by a certified soil scientist. Wetland areas shall be identified on the survey, regardless of size. The boundaries of the subdivision shall be superimposed.
- (11) Contour lines will be at two-foot intervals unless otherwise specified by the Board. The preferable vertical datum is North American Vertical Datum 1988 (NAVD 88). However, if only National Geodetic Vertical Datum 1929 (NGVD 29) is possible, that is permissible. The choice of vertical datum must be indicated on the digital submission. The ellipsoid is GRS 80 (Geodetic Reference System 1980).
- (12) If any portion of the subdivision is in a flood-prone area, the boundaries of any flood hazard area and the 100-year flood elevation, as depicted on Kennebunkport's Flood Insurance Rate Map, shall be delineated on the plan.
- (13) Hydrogeologic assessment.
 - (a) A hydrogeologic assessment prepared by a certified geologist or professional engineer, experienced in hydrogeology, when the subdivision is not served by a public sewer and:
 - [1] Any part of the subdivision is located over a sand and gravel aquifer, as shown on a map entitled "Hydrogeologic Data for Significant Sand and Gravel Aquifers" by Maine Geological Survey, 1985, Map No. 4, most recent revision or edition;
 - [2] The subdivision contains lots less than 100,000 square feet in total area; or
 - [3] The subdivision has an average density of less than 100,000 square feet per dwelling unit.
 - (b) The Board may require a hydrogeologic assessment in other cases where the site considerations or development design indicate greater potential of adverse impact on groundwater quality. These areas include extensive areas of shallow to bedrock soils; or cluster developments in which the average density is less than one dwelling unit per 100,000 square feet but the density of the developed portion is in excess on one dwelling unit per 80,000 square feet; or proposed use of shared or common subsurface wastewater disposal systems. The hydrogeologic assessment shall be conducted in accordance with the provisions of § 415-11.12A(1) below.
- (14) The number of acres within the proposed subdivision, location of property lines, existing buildings, vegetative cover type, and other essential existing physical features. On wooded sites, the plan shall indicate the area where clearing for roads, lawns, dwelling units and other structures shall be

permitted, as well as any proposed restrictions on clearing existing vegetation. In areas where clearing is proposed, the plan shall indicate the location of any existing large specimen trees (generally, with a diameter larger than 21 inches at breast height or other diameter specified by the Board).

- (15) Calculations of net residential area showing details determining compliance with § 415-11.17.
- (16) The approximate location and size of all proposed building envelopes including dwellings, driveways and lawns or gardens.
- (17) The location of all rivers, streams and brooks within or adjacent to the proposed subdivision. If any portion of the proposed subdivision is located in the direct watershed of a great pond, the application shall indicate that great pond.
- (18) The zoning district in which the proposed subdivision is located and the location of any boundaries affecting the subdivision.
- (19) The location and size of existing and proposed sewers, water mains, culverts, and drainageways on or within 200 feet of the property to be subdivided.
- (20) The location, names and present widths of existing streets and highways on or adjacent to the subdivision, if any.
- (21) The width and location of any proposed streets, public improvements or open space shown upon the Official Map and the Comprehensive Plan and subsequent amendments or revisions, if any, within the subdivision. Streets proposed for consideration as public streets shall be clearly identified as such. A statement shall be included describing any services proposed to be provided by the Town (e.g., plowing, right-of-way maintenance, paving, etc.) and explaining why the street(s) would meet the stated purpose of the Town's public street system. Specifically, the following categories shall be used to classify the reason(s) proposed:
 - (a) Leads to a public facility;
 - (b) Connects to other streets or is a thoroughfare; or
 - (c) Other public benefit.
- (22) The location of any open space to be preserved and a description of the proposed improvements and its management.
- (23) All parcels of land proposed to be dedicated to public use and the conditions of such dedication.
- (24) An estimate of the amount and type of vehicular traffic to be generated on a daily basis and at peak hours. Trip generation rates used shall be taken from "Trip Generation Manual," most recent edition, published by the Institute of Transportation Engineers. Trip generation rates from other sources may be

used if the applicant demonstrates that these sources better reflect local conditions.

- (25) For subdivisions involving 40 or more parking spaces or projected to generate more than 200 vehicle trips per day, a traffic impact analysis, prepared by a professional engineer with experience in traffic engineering, shall be submitted. The analysis shall indicate the expected average daily vehicular trips, peak-hour volumes, access conditions at the site, distribution of traffic, types of vehicles expected, effect upon the level of service of the street giving access to the site and neighboring streets that may be affected, and recommended improvements to maintain the desired level of service on the affected streets.
- (26) A stormwater management plan, prepared by a professional engineer in accordance with the Stormwater Management for Maine: Best Management Practices, published by the Maine Department of Environmental Protection (1995), most recent revision or edition.
- (27) An erosion and sedimentation control plan prepared in accordance with the "Maine Erosion and Sedimentation Control Handbook for Construction: Best Management Practices," published by the Cumberland County Soil and Water Conservation District and the Maine Department of Environmental Protection, most recent edition. The Board may waive submission of the erosion and sedimentation control plan if the subdivision is not in the watershed of a great pond, the proposed subdivision will not involve grading which changes drainage patterns, and the addition of impervious surfaces such as roofs and driveways is less than 5% of the area of the subdivision.
- (28) Areas within or adjacent to the proposed subdivision that have been identified as high or moderate value wildlife habitat by the Maine Department of Inland Fisheries and Wildlife (see "Beginning With Habitat Project") or within the Comprehensive Plan and subsequent amendments or revisions, if any. If any portion of the subdivision is located within an area designated as a critical natural area by the Comprehensive Plan and subsequent amendments or revisions or the Maine Natural Areas Program, the plan shall indicate appropriate measures for the preservation of the values that qualify the site for designation.
- (29) All areas within or adjacent to the proposed subdivision that are either listed on or eligible to be listed on the National Register of Historic Places, or prehistoric sites noted on maps provided by the Maine Historic Preservation Commission (MHPC), or have been identified in the Comprehensive Plan and subsequent amendments or revisions as sensitive or likely to contain such sites.
- (30) Evidence of the applicant's technical and financial capacity to complete the proposed subdivision per § 415-11.10.